



# PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (June 2004)**

(Implements RCW 34.05.310)  
Do NOT use for expedited rule making

**Agency:** Employment Security Department

**Subject of possible rule making:** General review of unemployment insurance (UI) tax and wage rules, including WAC chapters 192-300, 192-310, 192-320, 192-330, 192-340, and 192-350. This will update, revise, and clarify policy related to UI taxes. Some of the substantive topics include: when employers become inactive and how this affects coverage of corporate officers, priorities for application of payments, NSF charges, and recordkeeping requirements for employers. Many other changes are minor or technical.

**Statutes authorizing the agency to adopt rules on this subject:** RCW 50.12.010 and 50.12.040

**Reasons why rules on this subject may be needed and what they might accomplish:** Tax rules were last comprehensively reviewed in 2007. Rules will help clarify provisions dealing with coverage of corporate officers for unemployment insurance, priorities for application of payments, NSF charges, and recordkeeping requirements for employers. Rules will also make technical corrections and increase consistency with current policies.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** The United States Department of Labor (USDOL) reviews the state's administration of the UI program to ensure conformity to federal statutes and regulations. The state has broad flexibility in the implementation of UI laws as long as conformity is maintained. The proposed rules will be shared with USDOL prior to adoption.

**Process for developing new rule (check all that apply):**

- ☐ Negotiated rule making
- ☐ Pilot rule making
- ☐ Agency study

☒ Other (describe) Proposed rules will be shared with stakeholders identified in the rule-making process. We will solicit input from stakeholders and consider all written comments in the development of the final rules.

**How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:**

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

Interested parties can participate in the decision to adopt new rules and the formulation of proposed rules before publication by contacting Juanita Myers, Unemployment Insurance Rules Coordinator, Employment Security Department, P.O. Box 9046, Olympia WA 98507-9046, phone (360) 902-9665, fax (360) 902-9799, email [jmyers@esd.wa.gov](mailto:jmyers@esd.wa.gov). Please include your name, organization (if any), mailing address, email address, and telephone number.

**DATE**

7-23-10

**NAME (TYPE OR PRINT)**

Paul Trause

**SIGNATURE**

*[Handwritten Signature]*

**TITLE**

Deputy Commissioner

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